

ENTERED

August 17, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONMICHAEL BURKE, *et al.*,

Plaintiffs,

VS.

FLAGSTAR BANK,

Defendant.

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CIVIL ACTION NO. 4:22-CV-03480

ORDER

Before the Court is United States Magistrate Judge Yvonne Y. Ho's Memorandum and Recommendation filed on August 2, 2023. Doc. #31. The deadline for filing objections has passed, and no objections have been filed. Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Memorandum and Recommendation for clear error. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Finding no clear error, the Court adopts the Memorandum and Recommendation in its entirety.

Therefore, Defendant's Original Motion to Dismiss (Doc. #12) is DENIED as MOOT. Defendant's Superseding Motion to Dismiss (Doc. #16) is GRANTED, and all of Plaintiffs' claims against Defendant are DISMISSED with prejudice. Lastly, Defendant's Motion to Stay Discovery (Doc. #25) is DENIED as MOOT. This case is hereby DISMISSED with prejudice.

It is so ORDERED.

AUG 17 2023

Date


 The Honorable Alfred H. Bennett
 United States District Judge